

HB 1780 - AS INTRODUCED

2026 SESSION

26-2742

08/09

HOUSE BILL **1780**

AN ACT increasing penalties for persons violating laws relative to the sale of seeds, plants, and nursery stock.

SPONSORS: Rep. Comtois, Belk. 7; Rep. J. Aron, Sull. 4; Rep. Bixby, Straf. 13; Rep. N. Germana, Ches. 15; Rep. Kenny, Hills. 13; Sen. Pearl, Dist 17

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill enables the department of agriculture, markets, and food to define "habitual offender" and creates increased penalties for habitual violators of laws relative to the sale of seeds, plants, and nursery stock.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT increasing penalties for persons violating laws relative to the sale of seeds, plants, and nursery stock.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; New Hampshire Seed Law; Penalties. Amend RSA 433:9-b by inserting after
2 paragraph III the following new paragraph:

3 IV. Any person who habitually violates any section of this subdivision shall cease to sell for 6
4 months at the location where the violation has occurred. If such person begins selling seeds in
5 violation of this subdivision before such 6 months have expired, the violator shall cease to sell for one
6 year at the location where the violation occurred. If such person begins selling seeds in violation of
7 this subdivision before such year has expired, the violator shall be prohibited from selling seeds at
8 that location. The commissioner of the department of agriculture, markets, and food shall define
9 what constitutes habitual violation in rules adopted under RSA 541-A.

10 2 Certified Plants and Seeds. Amend RSA 433:15 to read as follows:

11 433:15 Penalties.

12 ***I.*** Any person, partnership, association or corporation, and any officer, agent, servant or
13 employee thereof violating any of the provisions of this subdivision shall be guilty of a misdemeanor
14 for each offense. If any such person, partnership, association or corporation shall be twice convicted
15 of a violation of this subdivision, the commissioner of agriculture, markets, and food may prohibit
16 him from marketing certified plants or seeds for a period of not less than 2 nor more than 4 years
17 after such prohibition.

18 ***II.*** ***Any person who habitually violates any section of this subdivision shall cease to***
19 ***sell for 6 months at the location where the violation has occurred. If such person begins***
20 ***selling certified seeds or certified plants in violation of this subdivision before such 6***
21 ***months have expired, the violator shall cease to sell for one year at the location where the***
22 ***violation occurred. If such person begins selling certified seeds and certified plants in***
23 ***violation of this subdivision before such year has expired, the violator shall be prohibited***
24 ***from selling certified seeds and certified plants at that location. The commissioner of the***
25 ***department of agriculture, markets, and food shall define what constitutes habitual***
26 ***violation in rules adopted under RSA 541-A.***

27 3 Certification of Seed Potatoes. Amend RSA 433:20 to read as follows:

28 433:20 Penalties.

29 ***I.*** Any person, partnership, association or corporation, and any officer, agency, servant or
30 employee thereof, violating any of the provisions of this subdivision shall be guilty of a misdemeanor

1 for each offense. If any such person, partnership, association, or corporation shall be twice convicted
2 of a violation of this subdivision, the commissioner of agriculture, markets, and food may prohibit
3 him from marketing certified seed potatoes for a period of not less than 2 nor more than 4 years after
4 such prohibition.

5 *II. Any person who habitually violates any section of this subdivision shall cease to*
6 *sell for 6 months at the location where the violation has occurred. If such person begins*
7 *selling seed potatoes in violation of this subdivision before such 6 months have expired, the*
8 *violation shall cease to sell for one year at the location where the violation occurred. If such*
9 *person begins selling seed potatoes in violation of this subdivision before such year has*
10 *expired, the violator shall be prohibited from selling seed potatoes at that location. The*
11 *commissioner of the department of agriculture, markets, and food shall define what*
12 *constitutes habitual violation in rules adopted under RSA 541-A.*

13 4 New Paragraph; Prohibitions; Penalties; Nursery Stock. Amend RSA 433:32 by inserting after
14 paragraph IV the following new paragraph:

15 V. Any person who habitually violates any section of this subdivision shall cease to sell for 6
16 months at the location where the violation has occurred. If such person begins selling nursery stock
17 in violation of this subdivision before such 6 months have expired, the violator shall cease to sell for
18 one year at the location where the violation occurred. If such person begins selling nursery stock in
19 violation of this subdivision before such year has expired, the violator shall be prohibited from
20 selling nursery stock at that location. The commissioner of the department of agriculture, markets,
21 and food shall define what constitutes habitual violation in rules adopted under RSA 541-A.

22 5 Effective Date. This act shall take effect January 1, 2027.